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13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 HENRY S. MONDESIR,

16 Plaintiff,

17 v.

18 KILOLO KIJAKAZI,¹
19 Acting Commissioner of Social Security,
20 Defendant.

) Case No.: 2:21-cv-00034-VCF

) **STIPULATION TO REMAND**
) **PURSUANT TO SENTENCE FOUR OF 42**
) **U.S.C. § 405(G)**

21 IT IS HEREBY STIPULATED, by and between the parties, Henry S. Mondesir (Plaintiff) and
22 Kilolo Kijakazi, the Acting Commissioner of Social Security (Defendant) through their undersigned
23 attorneys, and with the approval of the Court, that the Acting Commissioner has agreed to a voluntary

24 ¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to
25 Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore,
26 for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by
reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 remand of this case for further administrative proceedings, pursuant to *sentence four* of 42 U.S.C. §
2 405(g).

3 On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) for
4 a new decision. The ALJ will hold a de novo hearing.

5 The parties further request that the Clerk of the Court be directed to enter a final judgment in
6 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

7 Respectfully submitted on Nov. 4, 2021.

8
9 /s/ Hal Taylor*
10 Hal Taylor, Esq.
11 *authorized via email on Nov. 4, 2021
12 Attorney For Plaintiff

13 CHRISTOPHER CHIOU
14 Acting United States Attorney

15 /s/ Chantal R. Jenkins
16 CHANTAL R. JENKINS
17 Special Assistant United States Attorney

18
19
20 IT IS SO ORDERED:

21 
22 _____
23 UNITED STATES MAGISTRATE JUDGE

24 DATED: 11-5-2021
25 _____
26

CERTIFICATE OF SERVICE

I, Chantal R. Jenkins, certify that the following individual was served with a copy of the
STIPULATION TO REMAND PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(G) on the
date and via the method of service identified below:

Hal Taylor
2551 W. Lakeridge Shores
Reno, NV 89519
775-825-2223
Fax: 775-329-1113
Email: haltaylorlawyer@gbis.com

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Nov. 4, 2021

/s/ Chantal R. Jenkins
CHANTAL R. JENKINS
Special Assistant United States Attorney